

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Matthew Wasserman	Team: Team # 1	CCRB Case #: 201106389	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 05/09/2011 9:25 PM	Location of Incident: § 87(2)(b)	Precinct: 46	18 Mo. SOL 11/9/2012	EO SOL 11/9/2012	
Date/Time CV Reported Tue, 05/17/2011 3:34 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Tue, 05/17/2011 3:34 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Kevin Martin	24921	941068	046 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. An officer			046 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Kevin Martin	Abuse: PO Kevin Martin stopped § 87(2)(b)	§ 87(2)(b)
B.POM Kevin Martin	Abuse: PO Kevin Martin searched § 87(2)(b)	§ 87(2)(b)
C.POM Kevin Martin	Force: PO Kevin Martin used physical force against § 87(2)(b)	§ 87(2)(b)

Case Summary

§ 87(2)(b) filed a complaint with the CCRB via the Call-Processing System on May 17, 2011. § 87(2)(b) provided a phone statement to the CCRB on May 31, 2011.

At about 9:25 p.m. on May 9, 2011, § 87(2)(b) was at his brother's apartment, located at § 87(2)(b) in the Bronx. As he walked out of the building, he was approached by two officers in a marked car, identified by the investigation as PO Kevin Martin of the 46th Precinct and an unidentified female officer. PO Martin exited the vehicle, approached § 87(2)(b) and told him not to move (**Allegation A**). PO Martin asked § 87(2)(b) if he had ID and then went into his pockets without first frisking him (**Allegation B**). § 87(2)(b) asked why PO Martin was stopping him and PO Martin did not respond. PO Martin told § 87(2)(b) "You're acting ig'nant." § 87(2)(b) took the use of the pronunciation "ig'nant" rather than "ignorant" to be a racial comment. § 87(2)(b) became incensed and told PO1, "You're the one being ig'nant, you redneck." PO Martin handcuffed § 87(2)(b) and placed him roughly in the patrol car, slamming the door on his foot (**Allegation C**). PO Martin then transported § 87(2)(b) to the 46th Precinct station house.

PO Martin arrested § 87(2)(b) for criminal trespass in the second degree. § 87(2)(b) described PO Martin as a 6' or 6'1", 220 lb white male with red-brown hair whose name he obtained from the arrest paperwork. § 87(2)(b)

§ 87(2)(b) described PO Martin's partner as a 5'8" white female with a slim to medium build, black hair and blue eyes.

§ 87(2)(b) missed interviews scheduled for June 17, 2011 and July 1, 2011, without providing notice or calling to reschedule. He also missed an interview scheduled for June 24, 2011, without providing notice, but subsequently called to schedule another appointment. A check of the DOC website on July 1, 2011, revealed that § 87(2)(b) is not currently incarcerated. § 87(2)(g)

Investigator:	_____	_____	_____
	Signature	Print	Date
Supervisor:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date